

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Norfolk Division

In re:

KENNETH D. MALLORY,

Case No. 10-72462-SCS

Chapter 13

Debtor.

**CONSENT ORDER SETTLING MOTION TO DISMISS
FOR FAILURE TO MAKE PAYMENTS**

THIS MATTER CAME to be heard upon the Motion for Dismissal for Failure to Make Payments filed by R. Clinton Stackhouse, Jr., Chapter 13 Trustee (the "Trustee"). Upon the representation of the parties that the matter has been settled; it is hereby

It is **ORDERED** the Trustee's Motion to Dismiss for Failure to Make Payments is **SETTLED**. Kenneth D. Mallory (the "Debtor") shall make a payment to the Trustee in the amount of \$700.00 on or before December 31, 2010. The Debtor shall cure his remaining plan payment arrearage in the amount of \$651.00, through December 2010, by making payments in the amount of \$381.00 beginning in January 2011 and continuing through June 2011, then resuming regular plan payments of \$272.00 in July 2011. The Debtor shall fund his cure payments with help of his mother, Sara Mallory.

It is **FURTHER ORDERED** if the Debtor fails to comply with the terms of this Consent Order, or falls more than thirty (30) days in arrears for the remainder of the plan term, an Order of Dismissal may be filed with and entered by this Court without further hearing; and

R. Clinton Stackhouse, Jr. VSB No. 19358
Chapter 13 Trustee
870 Greenbrier Circle, Suite 200
Chesapeake, VA 23320
(757) 333-4000

It is **FURTHER ORDERED** that upon entry of this Order, the Clerk shall forward copies to

those parties named on the attached copy list.

Entered at Norfolk _____ day of _____, 2010.

JUDGE

Notice of entry of Order or Judgment _____

I ASK FOR THIS:

/s/ R. Clinton Stackhouse, Jr.

R. Clinton Stackhouse, Jr.
Chapter 13 Trustee

AGREED:

/s/ Lorin D. Hay

Lorin D. Hay, Esquire
Counsel for Debtor

LOCAL RULE 9022-1 CERTIFICATE

I hereby certify that in accordance with Local Rule 9002-1, this Order has been endorsed by all parties.

/s/ R. Clinton Stackhouse, Jr.

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Copy List:

Lorin D. Hay, Esquire
281 Independence Boulevard
Pembroke One, Suite 224
Virginia Beach, VA 23462

Kenneth D. Mallory
900 Gammon Trail
Chesapeake, VA 23322